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and Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re	:	<b>Chapter 11</b>
	:	
FUSION CONNECT, INC., <i>et al.</i> ,	:	<b>Case No. 19-11811 (SMB)</b>
	:	
Debtors. <sup>1</sup>	:	<b>(Jointly Administered)</b>
	:	
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**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON JULY 1, 2019 AT 2:00 P.M. (Eastern Time)**

Location of Hearing: United States Bankruptcy Court for the Southern District of New York,  
before the Honorable Stuart M. Bernstein, United States Bankruptcy  
Judge, One Bowling Green, Courtroom 723, New York, New York  
10004

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, as applicable, are Fusion Connect, Inc. (2021); Fusion BCHI Acquisition LLC (7402); Fusion NBS Acquisition Corp. (4332); Fusion LLC (0994); Fusion MPHC Holding Corporation (3066); Fusion MPHC Group, Inc. (1529); Fusion Cloud Company LLC (5568); Fusion Cloud Services, LLC (3012); Fusion CB Holdings, Inc. (6526); Fusion Communications, LLC (8337); Fusion Telecom, LLC (0894); Fusion Texas Holdings, Inc. (2636); Fusion Telecom of Kansas, LLC (0075); Fusion Telecom of Oklahoma, LLC (3260); Fusion Telecom of Missouri, LLC (5329); Fusion Telecom of Texas Ltd., L.L.P. (8531); Bircan Holdings, LLC (2819); Fusion Management Services LLC (5597); and Fusion PM Holdings, Inc. (2478). The principal executive office of the Debtors is located at 420 Lexington Avenue, Suite 1718, New York, New York 10170.

**I. UNCONTESTED MATTERS:**<sup>2</sup>

1. Motion of Debtors for (I) Authorization to (A) Continue Using Existing Cash Management System, Bank Accounts, and Business Forms, (B) Implement Changes to the Cash Management System in the Ordinary Course of Business, (C) Continue Intercompany Transactions, (D) Provide Administrative Expense Priority for Postpetition Intercompany Claims, (E) Extend Time to Comply With, or Seek Waiver of, 11 U.S.C. § 345(B), and (II) Related Relief (**ECF No. 4**)

Response Deadline: June 24, 2019 at 4:00 p.m. (ET)

Responses Filed: None

Related Documents:

- A. Declaration of Keith Soldan Pursuant to Rule 1007-2 of Local Bankruptcy Rules for Southern District of New York (**ECF No. 2**)
- B. Interim Order (I) Authorizing Debtors to (A) Continue Using Existing Cash Management System, Bank Accounts, and Business Forms, (B) Implement Changes to the Cash Management System in the Ordinary Course Of Business, (C) Continue Intercompany Transactions, (D) Provide Administrative Expense Priority for Postpetition Intercompany Claims, (E) Extend Time to Comply with, or Seek Waiver of, 11 U.S.C. § 345(B), and (II) Granting Related Relief (**ECF No. 48**)
- C. Certificate of No Objection (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

2. Motion of Debtors for Authorization to Maintain and Administer their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto (**ECF No. 12**)

Response Deadline: June 24, 2019 at 4:00 p.m. (ET)

Responses Filed: None

Related Documents:

- A. Declaration of Keith Soldan Pursuant to Rule 1007-2 of Local Bankruptcy Rules for Southern District of New York (**ECF No. 2**)

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<sup>2</sup> The objection deadline for the Official Committee of Unsecured Creditors was extended to June 26, 2019 at 4:00 p.m. (Eastern Time) with respect to the motions and applications listed as items 1-14 herein (ECF No. 107). With respect to items 15 and 16 listed herein, the objection deadline was further extended to June 27, 2019 at 4:00 p.m. (Eastern Time) for the Official Committee of Unsecured Creditors (ECF No. 119).

- B. Supplemental Declaration of Keith Soldan in Support of Motion of Debtors for (I) Authorization to Maintain and Administer Their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto (2) (I) Authorization to Pay Certain Prepetition Obligations to Critical Vendors, Lien Claimants, and Foreign Creditors, (II) Approval of Related Procedures, (III) Confirmation of Administrative Expense Priority Status for Certain Goods Delivered and Services Provided Postpetition, and (IV) Related Relief (**ECF No. 34**)
- C. Interim Order Authorizing the Debtors to Maintain and Administer their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto (**ECF No. 51**)
- D. Certificate of No Objection (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

- 3. Motion of Debtors Pursuant to 11 U.S.C. §§ 105(a) and 362 for Entry of Interim and Final Orders Establishing Notification Procedures and Approving the Restrictions on (A) Certain Transfers of Interests in the Debtors and (B) Claiming a Worthless Stock Deduction (**ECF No. 8**)<sup>3</sup>

Response Deadline: June 24, 2019 at 4:00 p.m. (ET)

Responses Filed: None

Related Documents:

- A. Declaration of Keith Soldan Pursuant to Rule 1007-2 of Local Bankruptcy Rules for Southern District of New York (**ECF No. 2**)
- B. Interim Order Establishing Notification Procedures and Approving Restrictions on (A) Certain Transfers of Interests in the Debtors and (B) Claiming a Worthless Stock Deduction (**ECF No. 52**)
- C. Notice of Filing of Revised Proposed Orders (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

- 4. Motion of Debtors for (I) Authorization to (A) Pay Employee Obligations and (B) Continue Employee Benefit Programs and (II) Related Relief (**ECF No. 5**)

Response Deadline: June 24, 2019 at 4:00 p.m.

Responses Filed: None

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<sup>3</sup> The objection deadline for the U.S. Department of Justice was extended to June 27, 2019 at 4:00 p.m. (Eastern Time) (ECF No. 112).

Related Documents:

- A. Declaration of Keith Soldan Pursuant to Rule 1007-2 of Local Bankruptcy Rules for Southern District of New York (**ECF No. 2**)
- B. Interim Order (I) Authorizing Debtors to (A) Pay Employee Obligations and (B) Continue Employee Benefit Programs and (II) Related Relief (**ECF No. 54**)
- C. Certificate of No Objection (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

- 5. Motion of Debtors for (I) Authorization to Pay Certain Prepetition Obligations to Critical Vendors, Lien Claimants, and Foreign Creditors, (II) Approval of Related Procedures, (III) Confirmation of Administrative Expense Priority Status for Certain Goods Delivered and Services Provided Postpetition, and (IV) Related Relief (**ECF No. 11**)

Response Deadline: June 24, 2019 at 4:00 p.m.

Responses Filed: None

Related Documents:

- A. Declaration of Keith Soldan Pursuant to Rule 1007-2 of Local Bankruptcy Rules for Southern District of New York (**ECF No. 2**)
- B. Supplemental Declaration of Keith Soldan in Support of Motion of Debtors for (I) Authorization to Maintain and Administer Their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto (2) (I) Authorization to Pay Certain Prepetition Obligations to Critical Vendors, Lien Claimants, and Foreign Creditors, (II) Approval of Related Procedures, (III) Confirmation of Administrative Expense Priority Status for Certain Goods Delivered and Services Provided Postpetition, and (IV) Related Relief (**ECF No. 34**)
- C. Interim Order (I) Authorizing Debtors to Pay Certain Prepetition Obligations to Critical Vendors, Lien Claimants, and Foreign Creditors, (II) Approving Related Procedures, (III) Confirming Administrative Expense Priority Status of Certain Goods Delivered and Services Provided Postpetition, and (IV) Granting Related Relief (**ECF No. 55**)
- D. Certificate of No Objection (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

6. Motion of Debtors for (I) Authorization to (A) Continue to Maintain their Insurance Policies and Programs and Surety Bond Program and (B) Honor All Obligations with Respect Thereto and (II) Modification of the Automatic Stay with Respect to the Workers' Compensation Program (**ECF No. 6**)

Response Deadline: June 24, 2019 at 4:00 p.m.

Responses Filed: None

Related Documents:

- A. Declaration of Keith Soldan Pursuant to Rule 1007-2 of Local Bankruptcy Rules for Southern District of New York (**ECF No. 2**)
- B. Interim Order (I) Authorizing Debtors to (A) Continue to Maintain their Insurance Policies and Programs and Surety Bond Program and (B) Honor All Obligations with Respect Thereto and (II) Modifying the Automatic Stay with Respect to the Workers' Compensation Program (**ECF No. 71**)
- C. Certificate of No Objection (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

7. Motion of Debtors for Authorization to Pay (I) Certain Prepetition Taxes and Fees and (II) Fees of Third Party Service Providers (**ECF No. 7**)

Response Deadline: June 24, 2019 at 4:00 p.m.

Responses Filed: None

Related Documents:

- A. Declaration of Keith Soldan Pursuant to Rule 1007-2 of Local Bankruptcy Rules for Southern District of New York (**ECF No. 2**)
- B. Interim Order for Authorization to Pay (I) Certain Prepetition Taxes and Fees and (II) Fees of Third Party Service Providers (**ECF No. 72**)
- C. Certificate of No Objection (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

8. Debtors' Motion for Entry of an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals (**ECF No. 82**)

Response Deadline: June 24, 2019 at 4:00 p.m.

Responses Filed: None

Related Document:

A. Certificate of No Objection (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

9. Debtors' Motion for Authorization to Employ Professionals Used in Ordinary Course of Business (**ECF No. 87**)

Response Deadline: June 24, 2019 at 4:00 p.m.

Responses Filed: None

Related Document:

A. Certificate of No Objection (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

10. Application of Debtors for Authorization to Retain and Employ Prime Clerk LLC as Administrative Agent *Nunc Pro Tunc* to Commencement Date (**ECF No. 83**)

Response Deadline: June 24, 2019 at 4:00 p.m.

Responses Filed: None

Related Document:

A. Certificate of No Objection (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

11. Application for Entry of an Order Authorizing the Employment and Retention of PJT Partners LP as Investment Banker for the Debtors Effective *Nunc Pro Tunc* to the Commencement Date (**ECF No. 84**)

Response Deadline: June 24, 2019 at 4:00 p.m.

Responses Filed: None

Related Document:

A. Certificate of No Objection (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

12. Application of Debtors for Authority to Retain and Employ Kelley Drye & Warren LLP as Special Counsel to the Debtors *Nunc Pro Tunc* to the Commencement Date (**ECF No. 85**)

Response Deadline: June 24, 2019 at 4:00 p.m.

Responses Filed: None

Related Document:

A. Certificate of No Objection (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

13. Application of Debtors for Authorization to Retain and Employ FTI Consulting, Inc. as Financial Advisor for the Debtors *Nunc Pro Tunc* to the Commencement Date (**ECF No. 86**)

Response Deadline: June 24, 2019 at 4:00 p.m.

Responses Filed: None

Related Document:

A. Certificate of No Objection (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

14. Application of Debtors for Authority to Retain and Employ Weil, Gotshal & Manges LLP as Attorneys for Debtors *Nunc Pro Tunc* to Commencement Date (**ECF No. 88**)

Response Deadline: June 24, 2019 at 4:00 p.m.

Responses Filed: None

Related Document:

A. Certificate of No Objection (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

15. Debtors' Motion for Entry of an Order (I) Approving (A) Bidding Procedures and (B) Assumption and Assignment Procedures and (II) Granting Related Relief (**ECF No. 36**)

Response Deadline: June 24, 2019 at 4:00 p.m.

Responses Filed: None

Related Document:

- A. Notice of Filing of Revised Proposed Orders (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

16. Motion of Debtors for (I) Authorization (A) to Obtain Postpetition Financing, (B) to Use Cash Collateral, (C) to Grant Liens and Provide Superpriority Administrative Expense Status, (D) to Grant Adequate Protection, (E) to Modify the Automatic Stay; (F) to Schedule a Final Hearing and (II) Related Relief (**ECF No. 17**)

Response Deadline: June 24, 2019 at 4:00 p.m.

Responses Filed: None

Related Documents:

- A. Declaration of Keith Soldan Pursuant to Rule 1007-2 of Local Bankruptcy Rules for Southern District of New York (**ECF No. 2**)
- B. Motion of Debtors Pursuant to 11 U.S.C. §§ 107(B) and 105(A) and Fed. R. Bankr. P. 9018 for Entry of Order Authorizing the Debtors to Redact the Fees Contained in the Fee Letter Related to the Dip Facility (**ECF No. 18**)
- C. Notice of Filing that Certain Fee Letter by and Among Fusion Connect, Inc. and the DIP Agent (**ECF No. 41**)
- D. Supplemental Declaration of John Singh in Support of Motion of Debtors for (I) Authorization (A) to Obtain Postpetition Financing, (B) to Use Cash Collateral, (C) to Grant Liens and Provide Superpriority Administrative Expense Status, (D) to Grant Adequate Protection, (E) to Modify the Automatic Stay and (F) to Schedule a Final Hearing and (II) Related Relief (**ECF No. 44**)



E. Interim Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Status, (III) Granting Adequate Protection to the Prepetition Secured Parties, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief (**ECF No. 57**)

F. Notice of Filing of Revised Proposed Orders (**ECF No. TBD**)

Status: This matter is going forward on an uncontested basis.

Dated: June 28, 2019  
New York, New York

/s/ Sunny Singh  
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